


AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: March 8, 2021
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 Dept.
Manager


 Director


 CAO

The District of North Vancouver REPORT TO COUNCIL

February 18, 2021
File: 09.3900.20/000.000

AUTHOR: Carol Walker, Chief Bylaw Officer

SUBJECT: Bylaw to Regulate the Keeping of Pigeons

RECOMMENDATION:

THAT "Pigeon Regulation Bylaw 8470, 2021" is given FIRST Reading;

THAT "Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8485, 2021, (Amendment 58)" is given FIRST Reading;

AND THAT Bylaw 8470 be referred to a Public Meeting.

REASON FOR REPORT:

At the regular meeting on October 19, 2020, Council directed staff to prepare a bylaw regarding the keeping of pigeons for Council consideration. This report introduces the Pigeon Regulation Bylaw (Attachment 1) to regulate the keeping of pigeons in a manner that is safe, sanitary, and humane, while also sensitive to the needs of neighbouring properties. Accompanying the Pigeon Regulation Bylaw are amendments to the Bylaw Notice Enforcement Bylaw (Attachment 2) to establish penalties associated with the regulations.

SUMMARY:

This report provides recommendations for regulating the keeping of pigeons in the District of North Vancouver. The proposed "Pigeon Regulation Bylaw 8470, 2021" was prepared with input from key stakeholders and aligns with best practices. Council may refer the bylaw to a Public Meeting to provide additional opportunity for input.

BACKGROUND:

The "Keeping of Pigeons Bylaw", Bylaw 4078 was adopted in 1971 to regulate the keeping of pigeons in the District of North Vancouver. It set standards for establishing and maintaining enclosures, protecting health, and included prohibitions that restricted pigeons from perching, roosting, straying or feeding on another parcel, highway or public place. The bylaw further provided for the administration of a permit in order to keep pigeons on a property.

At the Regular Meeting of Council on July 8, 2019, staff were directed to prepare a bylaw for Council's consideration to prohibit the keeping of pigeons and repeal Bylaw 4078. Staff subsequently prepared Pigeon Prohibition Bylaw 8402, 2019, which was adopted by Council on November 4, 2019.

On October 19, 2020, due to concerns raised by members of the community, Council directed staff to repeal "Pigeon Prohibition Bylaw 8402, 2019" and to bring forward for consideration a replacement bylaw that would regulate the keeping of pigeons within the District. Staff were directed to ensure the proposed bylaw would maintain the intent of the 1971 "Keeping of Pigeons Bylaw", Bylaw 4078, while also updating any regulations to ensure they reflect current practices and considerations.

EXISTING POLICY:

In addition to the regulations in the proposed Pigeon Regulation Bylaw, the District's Nuisance Abatement Bylaw, Noise Regulation Bylaw, Rodent Control Bylaw, and Solid Waste Management Bylaw provide tools to deal with problems that may arise.

ANALYSIS:

The Pigeon Regulation Bylaw, if adopted, would permit residents to keep pigeons within the District subject to obtaining a permit and complying with the regulations contained within the bylaw.

Many municipalities in Canada, including the municipalities of Surrey, Vancouver, Richmond, Toronto, Edmonton, and Brampton, permit the keeping of pigeons on private property; however, approaches for regulating this activity vary across the municipalities. The proposed Pigeon Regulation Bylaw 8470 was prepared following a comprehensive review of approaches taken by other municipalities.

Staff consulted with the Canadian Racing Pigeon Union Inc., Canadian Fancy Pigeon Association, Vancouver Poultry & Fancy Pigeon Association, and any known keepers of pigeons within the District in preparation of the bylaw. Staff also met with the SPCA to ensure there were no concerns regarding the bylaw contents and animal welfare.

A review of the repealed Keeping of Pigeons Bylaw 4078, adopted by Council in 1971, was also undertaken to identify opportunities for improvement and to incorporate best practices. The proposed Pigeon Regulation Bylaw 8470 includes general regulations on setbacks, location, size, cleanliness, and upkeep of pigeon lofts. Prohibitions are also included in the bylaw as well as regulations for enforcement. The content of the proposed bylaw generally aligns with those seen elsewhere yet contains adjustments that reflect considerations unique to the District of North Vancouver and remains consistent with the intent of the 1971 "Keeping of Pigeons Bylaw", Bylaw 4078.

Summary of key differences between the repealed Keeping of Pigeons Bylaw 4078 (1971) and the proposed Pigeon Regulation Bylaw 8470 (2021):

Subject	Keeping of Pigeons Bylaw 4078 (repealed)	Pigeon Regulation Bylaw 8470 (proposed)
<i>Approval</i>	Permit required (contents of permit application contained in the bylaw).	Permit required (contents of permit application removed from bylaw for administrative purposes).
<i>Enclosures (lofts)</i>	No maximum number specified.	Maximum 1 loft.
	No minimum floor space requirements.	Minimum 0.19 sq. metres of floor space for each pigeon over the age of 1 month.
	To be lime-washed or painted at least once every year.	Loft must be maintained in a sanitary condition at all times.
	1.5 metres from any property line.	1.5 metres from a rear lot line. 3.0 metres from an interior lot line.
	9.0 metres from any residence.	9.0 metres from any building used for human habitation or occupancy.
	No requirement (may be constructed in any yard, subject to siting requirements listed above).	Must be constructed only in a rear yard.
<i>Number of pigeons allowed</i>	No limit.	Maximum 20 pigeons.
<i>Keeping & temporary release</i>	Pigeons may not stray, perch, roost, feed, or nest on land or buildings except the property of the pigeon owner and for the purpose of exercising or racing.	Pigeons may not stray, perch, roost, rest or nest upon any parcel other than the parcel identified in the permit.
	Must be under the control of the owner when exercising or racing.	To be kept within loft at all times except for limited periods necessary for exercise, training or competition when such pigeons must be under the owner's control.
<i>Pest control</i>	Kept clean. No requirements for feed in bylaw but to be managed according to other District bylaws.	Kept clean. Pigeon feed must be stored according to District bylaws in a wildlife-resistant container.
<i>Fines</i>	No fines; enforcement would proceed by way of court process.	Fines included; local adjudication process.

*The minimum lot size of 5920 sq ft in the new Keeping of Pigeons Bylaw (8470) is the same as the repealed Keeping of Pigeons Bylaw (4078)

Timing/Approval Process:

Should Council proceed with staff's recommendations, the Public Meeting may be scheduled for the spring and the Bylaws could be given further consideration at a following Council meeting.

Public Input:

Staff consulted key stakeholders in the preparation of the bylaw, as noted above. A public hearing is not required as the Zoning Bylaw does not need to be amended; however, staff recommend referring the bylaw to a public meeting for broader public input prior to second and third readings of the bylaw. Understanding some members of the public cite challenges with availability and scheduling associated with participating in public meetings, residents will have the option to provide their input about the proposed bylaw amendments online in advance of the public meeting, should Council accept staff's recommendation noted above.

Conclusion:

The proposed Pigeon Regulation Bylaw 8470 will, if adopted, regulate the keeping of pigeons in the District and ensure animal welfare and public health are protected while potential nuisance issues are mitigated. The proposed bylaw contains updated regulations that respond to public and stakeholder input, align with other District of North Vancouver bylaws and best practices, and maintain the general intent of repealed Bylaw 4078, Keeping of Pigeons Bylaw.

Options:

The following options are available for Council's consideration:

1. Give bylaws 8470 and 8485 First Reading, and refer Bylaw 8470 to a Public Meeting (staff recommendation);
2. Give the bylaws no readings; or,
3. Provide alternate direction to staff.

Respectfully submitted,



Carol Walker,
Chief Bylaw Officer

- Attachment 1: District of North Vancouver Pigeon Regulation Bylaw 8470, 2021
Attachment 2: District of North Vancouver Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8485, 2021, (Amendment 58)

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